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MAIL STOP APPEAL BRIEF - PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: R.A. Jewell et al. Attorney Docket No. WEYE124015/23308C
Application No: 10/666,262 Group Art Unit: 1731
Filed: September 17, 2003 Examiner: E. Hug
Title: METHOD FOR PRODUCING CELLULOSE FIBER HAVING IMPROVED
BIOSTABILITY AND THE RESULTING PRODUCTS

REPLY BRIEF

Seattle, Washington

March 10, 2006

TO THE COMMISSIONER FOR PATENTS:

This Reply Brief responds to the Examiner's paragraph (10) Response to Argument.

The Examiner has correctly stated that applicants' claim contains the limitation that the treated fibers produced by the claimed process are "resistant to fiber length degradation during refining." It is applicants' position that this limitation distinguishes from the prior art in that applicants' fibers prepared as treated have different physical characteristics than those of the prior art, namely, they require less refining energy than fibers treated with conventional amounts of biocide, are resistant to fiber length degradation during refining and still retain biocide efficacy. These results are surprising and not shown or suggested by the art of record.

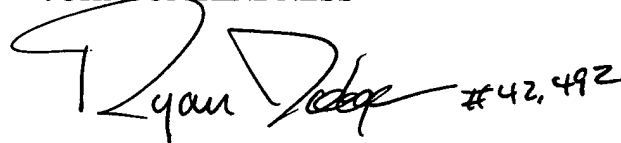
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Applicant's fibers produced by the claimed process have been shown to be different from the fibers of the prior art in that fibers treated in accordance with applicants' method require less refining energy and are resistant to fiber length degradation during refining. *See* Tables 5 and 10 and the discussion in the Appeal Brief at page 9. Thus, the physical characteristics of the fibers have been shown to be different from the fibers of the prior art. Thus, it is believed that the appealed method claims are patentably distinguished over the applied art.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: March 10, 2006 Shannon Kelly

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